

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 24-CR-135-JFH

JIMMY LEE EVANS,

Defendant.

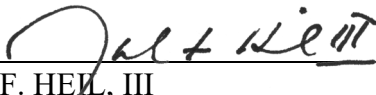
OPINION AND ORDER

Before the Court is a motion to dismiss indictment [Dkt. No. 2] without prejudice filed by the United States of America (“Government”). Dkt. No. 7.

Under Federal Rule of Criminal Procedure 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). For the reasons set forth in the motion, the Court concludes that dismissal of the charge against Defendant is not contrary to the public interest, nor is it for an improper purpose. Accordingly, the Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s motion to dismiss [Dkt. No. 7] is GRANTED and the indictment [Dkt. No. 2] is dismissed without prejudice against Defendant Jimmy Lee Evans.

Dated this 16th day of September 2024.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE